

Message

From: Green, Douglas H. [DHGreen@Venable.com]
Sent: 11/15/2018 8:22:13 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]
Subject: FW: CCR Beneficial Use - Indianapolis Power & Light

Flag: Flag for follow up

Hi David – understand that you have a lot of balls in the air, but I just wanted to circle back to this beneficial use question from IPL, as I think there is an issue you wanted to discuss regarding next steps.

Let me know what might work for you to discuss.

Thanks, Doug

Douglas H. Green, Esq. | Venable LLP
t 202.344.4483 | f 202.344.8300 | m Ex. 6 Personal Privacy (PP)/ Personal Phone
600 Massachusetts Avenue, NW, Washington, DC 20001

DHGreen@Venable.com | www.Venable.com

From: Green, Douglas H. [mailto:DHGreen@Venable.com]
Sent: Monday, November 5, 2018 5:36 PM
To: Cook, Steven <cook.steven@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>
Cc: Fotouhi, David <Fotouhi.David@epa.gov>
Subject: CCR Beneficial Use - Indianapolis Power & Light

Dear Messrs. Cook and Leopold – attached is a letter on behalf of our client Indianapolis Power & Light (“IPL”) requesting a meeting with EPA to discuss correcting an erroneous preamble statement from the CCR Phase 1 proposal limiting the beneficial use of CCR to close CCR impoundments even if the use meets the CCR beneficial use criteria. This erroneous statement is causing IPL to transport CCR for off-site disposal and will force the company to mine virgin soil for closure purposes. We believe this is at odds with the CCR rule’s regulatory text and EPA’s goal in promoting the beneficial use of CCR.

We look forward to working with you to correct this problem and will contact your offices shortly to arrange a meeting to discuss this matter.

Regards, Doug Green

Douglas H. Green, Esq. | Venable LLP
t 202.344.4483 | f 202.344.8300 | m Ex. 6 Personal Privacy (PP)/ Personal Phone
600 Massachusetts Avenue, NW, Washington, DC 20001

DHGreen@Venable.com | www.Venable.com

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.
